United Nations A/C.5/59/4

General Assembly

Distr.: General
1 October 2004

Original: English

Fifty-ninth session
Fifth Committee
Agenda item 114
Human resources management

Human resources management

Views of the staff representatives of the United Nations Secretariat

Note by the Secretary-General

The Secretary-General transmits herewith for consideration by the Fifth Committee a document submitted by the staff unions and associations of the United Nations Secretariat. The present document has been submitted pursuant to the provisions of paragraph 2 (a) of resolution 35/213 of 17 December 1980, whereby the General Assembly reiterated its readiness to receive and consider fully the views of the staff as set out by a single recognized representative of the staff of the United Nations Secretariat in a document submitted through the Secretary-General under the agenda item entitled "Human resources management".

04-52623 (E) 211004

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I. Introduction

1. Six years have passed since the staff representatives last expressed, in a document to the General Assembly, their commitment to the reform of the United Nations (A/C.5/53/34). At that time, we stated our desire to involve all stakeholders, Member States, management and staff, to ensure that the reform would take hold and transform the Organization into a viable and relevant entity for the next millennium.

2. During this time, some of the basic reform concepts have been abandoned, while others have been distorted to support a status quo that is no longer acceptable. The staff representatives can now responsibly say that the reform, rather than transforming the Organization, has become an end in itself.

3. This reform started by emphasizing, inter alia, the need for increased productivity, transparency and accountability, the empowerment of both managers and staff and the rule of law and due process.

4. We now find that empowerment of staff and accountability have disappeared from the initial building blocks of the reform. Staff/management consultations have become meaningless, and, in some cases, staff representatives have chosen to withdraw from staff-management consultative bodies rather than legitimize what they perceive to be a derailed reform process by continuing their participation.

5. Empowerment of managers has evolved into a delegation of authority, excessive in some cases, but without commensurate accountability. This delegation of authority has exacerbated what staff representatives warned of in our 1998 report, a culture of privilege with the existence of separate rules for those with authority and those without.

6. There is a complete lack of individual accountability of managers, which, in the most extreme cases, has led to mistakes that cost the lives of our colleagues. Despite repeated requests from the General Assembly, after all these years, there is still no clear, workable system of accountability as promised so many times.

7. The Performance Appraisal System (PAS), which was intended to be a key component of the accountability system, has not proven, owing to the imposition of a bell curve, to be an effective tool. As it now exists, the system does not meet its purpose, to appraise the performance of individual staff members. The same is true of the Accountability Panel, whose membership has disappeared through attrition without replacement.

8. The staff selection system does not have the required legitimacy now that decisions are placed in the hands of individual managers without effective checks and balances. Moreover, there is no provision for an effective recourse for staff members to counter abuses, favouritism, or even simple errors in the process.

9. The recruitment of retirees, who remain in the Organization years past their retirement date, continues to be an obstacle to the career development and recruitment of young staff.

10. Staff members, who no longer have the right of recourse in their national legal systems, are frustrated to learn that the internal system of justice at the United Nations is seriously eroded, inefficient and ineffective.

11. As defined in the 2002 United Nations publication *The State of the World's Cities*, four of the five variables leading to corruption are present in the United Nations system: (a) monopoly of power; (b) discretionary exercise of authority; (c) lack of accountability; and (d) lack of a deeply rooted ethical environment. The fifth variable, low pay of civil servants, is quickly becoming a factor owing to the constant lag of salaries at the Professional and higher levels below the United States/United Nations margin. Owing to the lack of true reform, we are witnessing the convergence of these five elements.

12. From the beginning, staff representatives have held the view that the responsibility for the reform has been left in the hands of too few. It is, therefore, essential that all stakeholders work together to put the reform back on the track if the Organization is to fulfil its goal of being of true relevance in this millennium.

13. The staff continue to strive for excellence in the implementation of mandates and are keen to have meaningful participation in a real transformation of the Organization into a model employer that not only espouses labour principles but lives by them.

14. The staff representatives encourage the Member States to bring the staff, called the most valuable asset of the United Nations by the Secretary-General, back to the centre of the reform efforts.

15. We urge the Member States to encourage the central administration of the United Nations to provide a meaningful role to staff representatives and forward our assurance that we hold the Organization's continued success as our main goal.

II. Security of staff in the field

16. The attack on the United Nations headquarters in Baghdad on 19 August 2003, the Organization's own 9/11, was a magnification of the increasingly dangerous environment in which United Nations staff have to operate.

17. The numbers might seem to contradict the idea of increased danger. United Nations missions have always suffered casualties, starting with the first peacekeeping operation in 1948, a year marked by eight deaths. According to the Office of the United Nations Security Coordinator (UNSECOORD), since 1992, at least 32 United Nations civilian staff members have been deliberately killed and 272 United Nations personnel taken hostage. But from 2000 to 2003 there was a decrease in the number of incidents — until 19 August 2003.

18. The impression that United Nations staff, and the aid workers of non-governmental organizations (NGOs), are increasingly at risk comes not only from Iraq, but also from a spate of attacks in Afghanistan, the Democratic Republic of the Congo, Kosovo (Serbia and Montenegro), and the Sudan. So far this year, four United Nations peacekeepers have been killed in the Democratic Republic of the Congo, two United Nations police officers have been killed in Kosovo, and a United Nations relief team has been attacked by militias in the Sudan.

19. There are serious shortcomings in the system providing for the safety and security of United Nations personnel. The United Nations Staff Council called on the Secretary-General, in a resolution adopted on 29 April 2004, to:

(a) Ensure that last year's security errors are not repeated and to suspend all operations in Iraq until such time as tangible measures are taken to improve the security situation at the duty station;

(b) Take urgent steps to address the serious flaws in the security management system and to immediately implement the Minimum Operating Security Standards (MOSS) in all United Nations operations, including through an independent professional audit of security arrangements at all United Nations locations;

(c) Certify that the maximum safety and security arrangements called for under staff regulation 1.2 (c) are met before staff are deployed to field missions in a hostile environment, in particular Iraq;

(d) Ensure that staff, through their representatives, are updated regularly and are actively involved in the reform process of the security policy of the Organization and the work of security management teams at their respective duty stations.

20. The staff representatives would like to emphasize that the creation of a CD-ROM training course by UNSECOORD, while a positive step in bringing basic training to all staff embarking on mission assignments, is not a replacement for more comprehensive training. The creation of the Minimum Operating Security Standards (MOSS) was also another positive step initiated by UNSECOORD. Problems arise, however, when these standards are not adhered to, or are lowered, which the staff find completely unacceptable.

21. Member States have asked United Nations staff to be deployed in environments in which they are reluctant to send their own well-trained soldiers. Many of the countries that have asked United Nations staff to risk their lives, 115 of them, have not yet ratified the Convention on the Safety of United Nations and Associated Personnel. The Convention, now 10-years old, needs strengthening, but proposals to make it better have failed to be adopted in the Sixth Committee. The staff representatives appeal to all Member States to ratify the Convention and to ensure its strengthening as convincing signs of their support and respect for the staff of this Organization.

Staff recommendations:

All the recommendations of the Standing Committee on Staff Security Issues of the Staff-Management Coordination Committee, which were adopted by the Staff-Management Coordination Committee at its twenty-sixth session and approved by the Secretary-General, should be implemented, with immediate effect, as follows:

- ST/AI/299 on the arrest or detention of staff members should be urgently reviewed and updated with, inter alia, the participation of UNSECOORD;
- There should be greater participation of staff and staff representatives involving security arrangements and/or security management teams — their role to be determined at each duty station since each has different needs and requirements;
- There is a need for improved staff training as it relates to security and it was agreed that the Office of Human Resources Management and the Department of Peacekeeping Operations should consider establishing some type of pre-departure briefing/readiness course for all staff going on mission;

- That the Office of Human Resources Management and Executive Officers undertake further efforts in fully recognizing the positive service and needs of staff serving in the field and in offering improved counselling services to staff both in the field and in their re-integration to their functions at their home stations;
- In addition, the staff representatives urge the Member States to request that the Secretary-General expedite the recruitment of a full-time United Nations Security Coordinator.

III. Contractual arrangements and the independence of the international civil service

22. The international civil service cannot be independent without job security and the security to perform their functions for the benefit of the Organization alone. The expanded use of precarious contracts (fixed-term and short-term) has created a workforce that is dependent on meeting the wishes of individual supervisors, as a first priority, before the need to protect the independent interests of the Organization.

23. Individuals who leave their home countries and family ties, travel to distant lands and often work under conditions of extreme hardship deserve the security of a career commitment with the United Nations. The international civil service was never meant to be a consulting firm where individuals can be flexibly disposed of. The international civil service is a calling that staff undertake, at times at great personal sacrifice. The type of devotion that staff demonstrate for the principles of the United Nations should be reciprocated and rewarded.

Staff recommendation:

The staff representatives firmly believe that career appointments should be maintained in sufficient numbers to form a core international civil service that will not be subject to the wishes of individual governments or individual managers and that will continue the functions elucidated in the Charter of the United Nations.

IV. Introduction of continuing contracts

24. Staff representatives welcome the introduction of continuing contracts as the next step for staff currently serving on fixed-term contracts. It is believed that these contracts will provide some security and stability for staff who do not have career appointments.

25. However, staff representatives have been assured that the introduction of continuing contracts would be an addition to career appointments, not a replacement for them. Staff representatives have one major concern about the grounds for the termination of a continuing contract. The administration has proposed that a continuing contract can be terminated, "if such action would be in the interest of the Organization and in accordance with the Charter".

26. The staff representatives believe that the current grounds for termination of a permanent appointment, as contained in staff regulation 9.1 (a) below, should be retained for continuing contracts:

> "(a) The Secretary-General may terminate the appointment of a staff member who holds a permanent appointment and whose probationary period has been completed, if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory or if he or she is, for reasons of health, incapacitated for further service;
>
> "The Secretary-General may also, giving the reasons therefore, terminate the appointment of a staff member who holds a permanent appointment:
>
> "(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;
>
> "(ii) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established in the Charter, have precluded his or her appointment;
>
> "No termination under subparagraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General;
>
> "Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned;".

27. Unless the grounds for termination of continuing contracts are clearly indicated, staff will be vulnerable to abuse. The scenarios given above cover every possible, legitimate reason for the termination of a contract.

Staff recommendation:

In the interests of ensuring the protection of staff members, the text of staff regulation 9.1 (a) above should be retained and continuing contracts added after "permanent appointment".

V. Staff selection system

28. The central review bodies, which were proposed by the Secretary-General and approved by the Fifth Committee as joint staff-management consultative bodies, are now composed solely of administration at Headquarters in New York. The New York Staff Council declined to submit nominations for the central review bodies when they were renewed in June 2004. In April 2003, an extraordinary general meeting of staff adopted a resolution which stated, inter alia, that the staff at large had no confidence in the central review bodies and requested an immediate withdrawal of the union's support for these bodies.

29. In June 2004, a special meeting of the Staff Council was convened to discuss how the Union should proceed on this matter. It was decided that the terms of the resolution from April 2003 should be upheld since no further discussions had taken place with the administration on this subject. Informal discussions were initiated in August 2004, however, as yet no agreement on modifying the staff selection system has been reached.

A. Legitimacy of the system and strengthening the role of the central review bodies

30. The report of the Secretary-General on human resources management reform (A/55/253 and Corr.1) provides for the drawing up of evaluation forms by line managers when job descriptions and vacancy announcements are prepared (ibid., annex II, para. 11). The forms should summarize the comparative rankings of eligible and qualified candidates against these criteria on the basis of their overall numeric ratings. However it must be noted that in paragraph 7.7 of ST/AI/2002/4 the exact opposite is stated: "Programme managers shall transmit their proposal for one candidate or, preferably, a list of qualified, unranked candidates to the appropriate central review body".

31. The report of the Secretary-General provides that the evaluation forms will be forwarded to the central review body to provide independent confirmation of the appropriateness of the criteria (A/55/253 and Corr.1, annex II, para. 12). In the same report, the notion that all the short-listed candidates are ranked is reiterated: "The line manager may list up to five candidates for shortlisting", and "The candidate with the top score will be recommended for selection" (ibid., para. 14). The report also stated that "The line manager's recommendations, together with the summary sheets of the preliminary screening and selection exercise, will then be forwarded to the central review body" (ibid., para. 17).

32. The staff representatives assert that since the proposals as implemented contradict the General Assembly position on the matter, they are ultra vires in law and therefore void.

Staff recommendation:

The staff representatives respectfully request the Fifth Committee to provide a clear interpretation of the decision of the General Assembly, as contained in its resolution 55/258:

> "(a) The central review bodies shall review the recruitment process for compliance with the pre-approved selection criteria and shall offer recommendations ..." (resolution 55/258, sect. VI, subpara. (a))

The staff representatives need clarification as to whether the above-mentioned review is to be a procedural review, which could be performed by any clerk in the Office of Human Resources Management, or a review that would provide one of the checks and balances necessary in any system in order to ensure proper application of existing rules and to minimize future litigation against the Organization.

B. Lack of accountability measures

33. Staff representatives are concerned that there are abuses and manipulation in the selection system without any real mechanism to address them. Although programme managers may choose candidates that they favour for posts, there will be cases when staff members are denied consideration due to an error (for example, a mistake in their personnel record).

34. Since the staff of the United Nations do not enjoy the legal privileges and protections that are available to workers in their countries through the national legal system, and the current internal system of justice is inadequate and inefficient, it is essential that decision makers be held accountable to avoid costly litigation and penalties, which would have to be paid by the Organization.

35. The ultimate accountability measure would be the establishment of a recourse procedure that would allow short-listed staff who were not chosen for a post a maximum of 10 days to appeal before implementation takes place. Ten days would not create an unreasonable delay in the system but would provide a true element of fairness, transparency and accountability, and might prevent costly litigation.

Staff recommendations:

The staff representatives recommend that the Fifth Committee give serious consideration to establishing a meaningful recourse procedure, prior to the implementation of a decision on selected candidates, into the staff selection system so as to provide an element of fairness for staff members who are overlooked for promotions. That deserving staff members are often overlooked is a reality of the United Nations environment, and any system that ignores that reality will not serve the best interests of the staff at large. In addition, the administration should be asked to produce a workable accountability mechanism for programme managers that can be implemented within their sphere of authority. Such a review should be focused on the individual disputed selection and should be initiated and completed before the decision of the programme manager is implemented. This is necessary because the new system is predicated on making managers accountable, although, to date, no viable mechanism has been put into place to ensure such accountability. The suspicion by staff that the new system was a power grab by management and was intended as a rubber stamp on the programme manager's decision is thus reinforced by this lack of accountability mechanism.

C. Views from offices away from Headquarters

36. Offices away from Headquarters are equally concerned about the staff selection system and are facing similar decisions as to whether or not to continue participation in the central review bodies. There is a prevailing view that the central review bodies merely rubber-stamp the decisions of programme managers and that the presence of staff representatives, rather than providing a proper oversight function, merely legitimize those decisions, which depend upon the integrity of the manager, and on which no input can be made.

37. All staff and staff representatives from the global Secretariat feel that both the lack of accountability in the system and the strengthening of the role of the central review bodies need to be addressed. To that end, the formation of a special working

group of the Staff-Management Coordination Committee will be requested when the Committee resumes its deliberations.

38. In addition, offices away from Headquarters find that Galaxy is not a user-friendly system, in particular for staff in the developing world, and that statistics on geographical distribution are not kept up-to-date and made easily available to the central review bodies.

VI. Mobility

39. The system of mandatory mobility, as distinct from optional or encouraged mobility, which is proposed for implementation in 2007, is based on the assumption that perpetual movement of all the staff is always a good thing. In reality, it will have very dubious benefits, and in many parts of the United Nations system it will negatively affect entire professions and/or units. The administration should identify specific functions, for instance language and library staff, which should be excluded from the mandatory system of mobility on the basis of the impossibility or irrationality of the application of such a system in those fields. Aside from staff performing these functions, there are other factors that need to be carefully considered, for example the fact that posts of interpreters, translators, verbatim reporters and other language professionals are not subject to geographical distribution, and that, therefore, their rotation into geographically distributed posts would create imbalances in this regard. Implementation of this system also requires greater attention to work/life issues, including spousal employment. In addition, the financial aspects of such a system should be carefully studied since we understand that the average cost for the United Nations to relocate a professional staff member to another duty station amounts to at least 60,000 United States dollars.

40. Although these considerations are obvious, the administration continues to market its mobility programme wholesale, without due consideration for relevant factors that militate against it.

41. Institutional memory is also important, and too much mobility will seriously affect the ability of the Organization to carry out its mandates. Staff representatives have voiced strong concerns over the impact of mobility on families. While they fully understand that jobs at the United Nations are of an international character, they feel that the United Nations, as a model and caring employer, should address these issues.

42. It is our view that mobility should be stimulated by a thorough system of incentives. Mobility should be encouraged but not imposed since it might be used as justification by managers who are willing to get rid of "unwanted staff", like those with the highest level of integrity who have the courage to object to non-ethical administrative decisions.

Staff recommendation:

The General Assembly may wish to request that the Secretariat prepare a report on mobility plans concerning specialized and technical staff and request that staff representatives be included in its preparation.

VII. Delegation of authority/accountability

43. It should be noted that the General Assembly endorsed the establishment of a system of accountability and responsibility in 1993. Eleven years later, the issues still remain visionary, with no concrete measures to establish the personal accountability of managers. The steps currently being taken to utilize the provisions for financial responsibility under the staff rules is a positive step. However, that is an action that will only be taken under specific circumstances and in very obvious cases of irresponsibility.

44. The staff representatives are concerned that there is no effective mechanism to analyse the quality of decisions and the action to be taken when those decisions are faulty or improperly motivated. Extensive discussions on this issue have been held at every recent session of the Staff-Management Coordination Committee. The Office of Human Resources Management has indicated that it lacks the authority to implement accountability measures in other Departments of the Secretariat. While the Office of Human Resources Management can provide guidance to departments where problems are identified, there is no instrument that compels them to act on such guidance. The only avenue available to OHRM to address extended abuse in a specific department would be to bring the matter to the attention of the Secretary-General for action. In the staff's view, this does not constitute a "mechanism" for accountability.

45. The staff representatives take note of the creation of the Secretary-General's Accountability Panel, which has never established any real mechanisms and whose members have not been replaced. Staff representatives believe that this is proof that the administration has no real intention of holding top managers accountable.

46. It would appear that the only way to establish viable mechanisms for accountability is to retain a strong central authority with sufficient power to monitor the manner in which departments interpret and administer the rules and regulations and enforce their application so as to ensure equality of treatment for all staff.

47. It should also be noted that the Performance Appraisal System, which was intended to be one of the major inputs in a system of accountability, has not fully met its objectives. Owing to the complexity of the system and the burdensome amount of time required for its annual cycle, there is a general lack of compliance with the requirements of the system in that most offices are constantly failing to observe the set time limits. The enhanced consultation between staff and management, which was to emerge from the introduction of the system, has never materialized. Yet some staff have already been held accountable under the process through non-renewal of their fixed-term contracts.

Staff recommendation:

The staff representatives believe that it is important to have a central policy authority to ensure fair application of the staff rules and regulations, provided that there are appropriate checks and balances at all levels to ensure oversight.

VIII. Staff-management consultative mechanisms

48. The Staff-Management Coordination Committee (SMCC), the highest level staff-management negotiating body in the Secretariat, has not met since the fall of 2002. There are a variety of serious reasons for this complete breakdown. Largely, staff representatives question the importance the administration attaches to the Committee, particularly when the representatives of the staff are at the highest level and those of the administration are not.

49. Since 1998, nearly every agenda of SMCC has included an item either on revising its terms of reference or on the lack of respect for the mechanism itself. However, agreements for action, generally proposed by the staff representatives and signed by the Secretary-General, have remained unimplemented and/or partially implemented for many years. In addition, after the term of office of the President of the Committee expired the Secretary-General re-appointed the President unilaterally, in complete contravention of the SMCC's existing terms of reference. The staff representatives believe that until respect is given to the approved agreements of the Committee, there can be no meaningful staff-management consultation.

50. In the spring of 2004, the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA), finally proposed the convening of a small group of two administration representatives and two representatives nominated by staff to review the outstanding agreements and to set a timetable for implementation. That group has not as yet completed its work. Staff representatives are hopeful that the administration will establish an appropriate timetable for implementing those agreements still outstanding. Unfortunately, due to the extreme time delay, some recommendations are now moot, and any benefit they could have been to staff can never be recaptured.

Staff recommendation:

The Fifth Committee may wish to confirm its support of the Staff-Management Coordination Committee as the highest level staff/management negotiating body and to encourage the utmost respect for its terms of reference, deliberations and agreements by all parties to the process.

IX. Staff-management relations: consultation and dialogue

51. At Headquarters in New York, the highest staff-management consultative body at the local level, the Joint Advisory Committee (JAC), continued to meet on a regular basis. However, at offices away from Headquarters, there are varying degrees of compliance with the JAC mechanism.

52. Managerial prerogative is a phrase widely used in the Secretariat to exclude staff and their elected representatives from participating in important staff welfare issues. The Office of Human Resources Management has suggested that staff representatives are attempting to co-manage the Organization. This is an outdated allegation that clearly shows the lack of attitudinal change in the United Nations. Modern and enlightened human resources specialists now advocate the creation of "partnerships" with union representatives. And, while some departments in the United Nations are working towards meaningful dialogue with staff representatives, senior management still views staff representatives with suspicion and minimizes

their meaningful presence in, and views on, processes that affect their future working conditions.

53. There is no more glaring example of the above than the fact that the United Nations has now become a "catalytic advocate" for the nine principles of "The Global Compact" and for the incorporation of these principles into the business strategies of companies throughout the world. Oddly enough, principle 3, under the heading "Labour Standards", which states, "Business should uphold the freedom of association and the effective recognition of the right to collective bargaining", is a principle that the staff unions of the United Nations Secretariat are denied. To be a model employer, the Organization must practice the same principles it advocates to the world.

54. Staff representatives have no desire to co-manage the Organization. However, the interpretation of consultation, an issue often debated between staff and administration, remains without a concrete and satisfactory definition. Staff representatives realize that they cannot always get whatever they ask for. They also fully understand that consultation is not a right to veto or approve specific decisions of the Secretary-General. However, informing the staff of decisions that have gone through a lengthy process of development, dialogue and evaluation at all other levels cannot be construed as consultation.

55. Ideally, staff representatives in each department should be involved in any dialogue that effects change at the programme level. At the central level, staff committees expect to be involved in discussions on policy changes at a level at which their input could still be useful. It is disconcerting to be presented with a completed policy document on the verge of issuance for comments when it is obvious that no major modifications will be adopted.

56. Those who do the work should have input into developing the work process. That is not co-management; that is sound management.

Staff recommendation:

The Fifth Committee may wish to indicate its wish to hear the views of the staff representatives on behalf of the major shareholders in the human resources programmes and policies of the United Nations to allow the distinguished members to have the benefit of all views prior to making their decisions. Documentation that is presented to the Fifth Committee on issues affecting staff welfare should be shared, in advance, with the staff representative bodies to allow them time for comment.

X. Career development policies, including placement and promotion issues

57. The administration has undertaken a variety of efforts to provide training and guidance to staff seeking enhanced careers, although the Organization does not at present have a comprehensive career development system. Any career development programme must include comprehensive proposals for all levels and categories of staff.

58. In 1985, the Organization undertook a major classification exercise for all posts in the General Service and related categories. At that time, the classification of posts was established as a continuous procedure, to be implemented whenever functions of posts were significantly changed. Since then, significant changes have taken place in the type of work and the manner in which it is performed in the Secretariat.

59. Aside from factors attributed to changing mandates and work conditions, individual reclassifications have distorted career paths in many occupational groups, while in others, career paths are incomplete and/or non-existent. For example, Language Coordinators, who are recruited at the P-2 level through competitive examination, provided they have five years of experience, have no career path. While they have the option of applying for vacancies at higher levels, their specialized skills and training make it extremely difficult for them to move to other offices of the Secretariat.

60. Owing to changing mandates and technological innovations, there is a definite need for the Office of Human Resources Management to undertake a comprehensive review, in cooperation with all departments of the Secretariat, of the career paths and levels of posts in each occupation as a prelude to establishment of a comprehensive career development system. The Office of Human Resources Management has begun the process of creating generic job profiles for staff, although most staff representatives have not had input to this process.

61. The G-to-P examination, a major career development programme for staff in the General Service and related categories, and for women in particular, is a major source of frustration. The current quota of 10 per cent of posts allocated for the examination is completely insufficient. We respectfully request re-instatement of the quota of 30 per cent so as to enable enhancement of career development for support staff.

62. The staff in the General Service and related categories already exemplify the concept of continuous learning. Many staff have advanced university level degrees and are continuing their studies on their own time and at their own expense. A cursory look at the examination process reveals that the cost of maintaining the process far outweigh the benefits. In the case of the national competitive examinations, for example, it would appear to be a more rational solution if posts subject to geographical distribution underwent regular recruitment with the understanding that managers would have to choose from a pool of candidates who are nationals of underrepresented countries only.

63. In January 2003, the Secretary-General established unified nomenclature (see ST/SGB/2002/18), thereby potentially eliminating one major barrier to a unified structure. However, as of the date of writing of the present report, no further concrete steps have been taken to implement the decision to have unified nomenclature.

64. One negative aspect of the recruitment of staff in the General Service and related categories on current staff has been the decision of some departments not to allow staff members to move to other departments because of their inability to recruit replacements. This has had a detrimental effect on the career development of some support staff.

Staff recommendations:

- All departments should be encouraged to establish programmes to maximize the use of skills and abilities found among support staff. One example of good practice in this regard is the fact that the executive office of the Office for the Coordination of Humanitarian Affairs is creating a skills inventory of staff in the General Service and related categories to determine if staff need additional training and, if their work corresponds to their job description. This may lead to the reclassification of certain posts and will definitely facilitate future recruitment from among the Office's own cadre of General Service staff
- Staff representatives are appreciative of the Secretary-General's efforts under Action 27 and encourage delegations to restore the quota of 30 per cent for posts allocated to the G-to-P examination
- General Service staff with appropriate educational qualifications could proceed through the ranks normally, bound only by their own skills, abilities and education
- Successful candidates from the G-to-P examination who failed to obtain a post should be considered for any other vacancy for which they are qualified in the Secretariat
- Also, consideration should be given to allowing fully qualified staff to apply for P-3 posts to do so without resigning from the Organization. Given the large overlap in functions at the senior General Service level with those at the entry level in the Professional category, most successful staff have already been performing junior professional work for some time.

XI. Use of retirees and consulting/outsourcing services

65. At the twenty-sixth session of SMCC, the staff representatives requested the Office of Human Resources Management to adopt a clear policy on the extension of staff beyond the age of retirement. Staff have observed that certain individuals have been given the opportunity for extension while others have been denied and feel that there should be a clear policy giving equal rights to all.

66. The staff representatives also felt that, given the ageing of the Secretariat, it was in the best interest of the Organization to enhance the career development and recruitment of younger staff by allowing staff to retire at their appointed time. The failure of programme managers to carry out the advance planning necessary for finding replacement staff should not penalize those awaiting placement and promotion opportunities.

67. The staff representatives regret to report that the use of consultants is proliferating in the global Secretariat. The outsourcing of General Service functions, the hiring of retirees and consultants for administrative functions, and the fact that they displace staff members who might carry out those functions and block their career opportunities, must be thoroughly examined.

68. Staff representatives realize that there may be instances when a short-term project requires specialized skills that are not needed on a continuing basis. In such cases, training staff in new skills might not be warranted. But it is imperative that the credentials, qualifications and experience of the suggested consultant be fully

verified. It is equally imperative that consultants do not receive any additional training at the expense of the Organization and that they are not assigned supervisory functions.

69. At the twenty-first meeting of SMCC in 1997, an agreement was reached that whenever outsourcing is considered, staff representatives in the area should be informed to allow the staff to submit their views and/or proposals on the matter.

70. In addition, in its resolution 55/232 of 23 December 2000, the General Assembly requested the Secretary-General to ensure that programme managers are guided by four basic reasons for outsourcing: to acquire technical skills not readily available within the Organization; to achieve cost savings; for increased effectiveness, efficiency and speed; and to provide an activity not needed on a long-term basis. Among the following goals to be considered in the process is the need "to avoid a possible negative impact on staff".

71. Despite these very clear mandates, outsourced staff are still recruited on a long-term basis and without allowing staff to submit views and/or proposals. Staff representatives note that greater efforts must be made to ensure a geographical balance when utilizing the services of consultants. They also feel that the benefits of retaining the internationalism of the system may well be worth the expenditure of extra funds to retain well-known world experts.

Staff recommendations:

- The staff representatives believe that the use of consultants should be minimized in view of the fact that there are staff members who would be eager to pursue new types of training to acquire special skills for which consultancy funds are now being utilized
- The Fifth Committee should be aware that the $22,000 maximum income cap for retirees is regularly being circumvented. When being re-recruited, retired staff are often given the option of re-entering the Pension Fund. Once they do that, they can stay on at regular salaries. This practice should be thoroughly examined.

XII. Harassment/discrimination

72. Harassment of staff is a problem that continues to exist in the Secretariat. Too many staff members are subjected to verbal abuse and harassment, including sexual harassment on a daily basis. There have even been isolated cases of physical abuse in recent years. The culture of privilege has allowed senior staff of the United Nations to abuse their authority in an unrestrained manner. Many staff, owing to their insecure contractual status, are not inclined to challenge their supervisors for fear of further recrimination.

73. This fact was highlighted at an open forum on discrimination convened by the Staff Committee in New York on 23 May 2002.

74. At the twenty-sixth session of SMCC in 2002, an ad hoc working group on harassment/discrimination was formed. That working group set out to develop a policy on harassment, to include a clear definition and procedures for dealing with allegations of harassment. The staff representatives from the United Nations Office

at Geneva, with the assistance of an external consultant who is an expert in this field, proposed a text for an administrative instruction on this matter to highlight how imperative it is that this issue be addressed.

XIII. Internal system of justice

75. As early as the twenty-second session of SMCC in 1998, staff and administration agreed that the review and revitalization of the justice system is an integral part of the reform of the Organization. Since then, the working group on the internal justice system has met several times, but has not succeeded in resolving the issues that make the current system inefficient and slow.

76. The Panel of Counsel in New York continues to need support and has insufficient membership to assist the staff in need. Many duty stations do not have a panel of counsel at all. The present members are volunteers and are not given nearly enough support to perform their functions. There is a need for additional members to serve on the panels of counsel and for intensive training to ensure that members have the knowledge, skills and competence to properly defend the rights of staff.

77. It should be recalled that the Secretariat requested the provision of a P-4 post for a legal officer for the Panel of Counsel in a previous budget exercise. That post was approved, however, it was established in the Office of the Ombudsman. There is still, therefore, a critical need for full-time legal assistance in the Panel of Counsel.

78. The General Assembly requested the administration, in consultation with the staff, to examine legal insurance plans that could provide representation for the staff. Unfortunately, the administration has never approached the staff to undertake such a review. The staff representatives, however, are working on a plan to form a group of legal experts that would be retained by the Staff Union to provide lower-cost services to staff members who are dues-paying members of the Staff Union.

79. All functions in the internal justice system performed by volunteer staff are considered official, however, there have been instances where staff have informed us they are unable to serve because their supervisors do not wish them to be involved in activities that take them away from their normal duties. In addition, there have been cases where departments have refused to release staff to serve. It is important that strong policy measures are adopted to ensure that staff are permitted to accept these responsibilities as part of their official functions.

80. The establishment of the Ombudsman has not lessened the volume of staff concerns. Staff representatives believe this is largely due to the weak terms of reference of that office. It would be beneficial for staff and management to review the terms of reference with a view to recommending to the General Assembly, at its next meeting on human resources management, the strengthening of the office of the Ombudsman.

81. The revision of the disciplinary procedures in the United Nations has been agreed upon since the twenty-second session of SMCC in 1998. It is essential, to ensure due process for staff members, that the disciplinary procedures be revised and updated.

XIV. Enlarging opportunities for staff in the General Service and related categories

82. The staff representatives would like to emphasize that the efforts of the Secretary-General to enhance opportunities for General Service (support) staff under Action 27 is an extremely positive step. Staff representatives believe that a more comprehensive effort must be made to ensure that careers of support staff are more rewarding and to provide due recognition for their talents and skills, which are key inputs in the implementation of the Organization's mandates.

83. In particular, the staff representatives support the following recommendations of the Secretary-General:

(a) Review organizational structures at the departmental level, from the perspective of operational and human resources requirements, with a view to ensuring that the levels of General Service posts are commensurate with current functions and responsibilities;

(b) Study ways to allow staff to be considered as internal candidates when applying for vacancies with organizations in their own duty stations and possibly, at other duty stations, in consultation with other common system organizations;

(c) Consider introducing time limits in the staff selection process to prevent vacancies from remaining open longer than 12 months in order to limit the practice by some managers of not advertising vacant posts in a timely way, and to expedite mobility;

(d) Provide more opportunities for General Service staff to fill temporary vacancies (for example, mission replacement, maternity leave) at senior General Service and P-1 to P-3 levels rather than using external candidates;

(e) Fully implement ST/SGB/2002/18 on the new nomenclature by making the subsequent revisions to staff rules, and administrative issuances, where appropriate.

84. It should be noted that staff in the related categories of the General Service (Trades and Crafts, Security Service, Public Information Assistants and Language Teachers) have similar needs that must be addressed. The staff representatives believe that all of these efforts should also include enhancement of the conditions of service in those categories.

85. At its twenty-sixth session, the Staff-Management Coordination Committee established a working group to develop proposals to enhance the careers of staff in the General Service and related categories. The staff representatives urge the implementation of those recommendations.

Staff recommendations:

The following recommendations, made by the SMCC working group on General Service issues, should be implemented as soon as possible:

- An SMCC subgroup on General Service issues should be established to continue to work on those issues that could not be discussed at the twenty-sixth session of SMCC as well as issues referred to under the provisions of Action 27 of the report of the Secretary-General (A/55/253 and Corr.1)

- There should be respect for the work of staff in the General Service and related categories, which would include, where appropriate, participation in joint bodies
- The Guidelines for Equal Treatment of Staff should be updated and distributed
- Further access to training should be given to General Service staff to enable them to fill vacancies at senior General Service levels
- Where possible, placement assistance should be extended to staff whose contracts expire due to reasons other than performance problems
- Management should investigate measures to provide e-mail and computer access to all staff, although this need not be on an individual basis
- Conflict resolution training should be extended to a wider group of staff and consideration should be given to means of enhancing conflict resolution at the departmental level.

XV. Conclusion

86. The staff representatives of the Secretariat of the United Nations submit these comments and views in the hope of making a constructive contribution to the consideration of human resources questions and to the vital work of the United Nations in today's world.

87. The Member States might also wish to refer to the results of an independent survey of Organizational integrity commissioned by the United Nations in 2004 when considering the views of the staff representatives. The survey identified various impact actions that the organization needed to take, inter alia: providing a safe milieu; following up on the findings of the survey; improving the performance management system; providing continuous employee feedback; and enhancing integrity training and development.